

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SOFTWARE RIGHTS ARCHIVE, LLC

v.

GOOGLE INC., YAHOO! INC., IAC
SEARCH & MEDIA, INC., AOL, LLC,
AND LYCOS, INC.

Civil Case No. 2:07-cv-511 (CE)

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEADLINE FOR FILING
CONSOLIDATED (1) REPLY SUPPORTING DEFENDANTS' MOTION FOR LEAVE
TO AMEND AND SUPPLEMENT INVALIDITY CONTENTIONS AND (2) RESPONSE
TO PLAINTIFF'S MOTION TO STRIKE INVALIDITY CONTENTIONS (DKT. NO.
213) AND TO SEEK LEAVE FOR 10-PAGE SUR-REPLY IN OPPOSITION TO
PLAINTIFF'S MOTION TO STRIKE INVALIDITY CONTENTIONS**

Come now Defendants Google, Inc., Yahoo! Inc., IAC Search & Media, Inc., AOL, LLC, and Lycos, Inc. (collectively, "Defendants") and file this Unopposed Motion to Extend Deadline for Filing Consolidated (1) Reply Supporting Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions and (2) Response to Plaintiff's Motion to Strike Invalidity Contentions (Dkt. No. 213) and To Seek Leave for 10-Page Sur-Reply in Opposition to Plaintiff's Motion to Strike Invalidity Contentions, and in support of same would show the Court as follows:

1. On December 18, 2009, Defendants filed their Motion for Leave to Amend and Supplement Invalidity Contentions (Dkt. No. 198).
2. After being granted an unopposed extension of time in which to file their Response to Dkt. No. 198, Plaintiff Software Rights Archive, LLC ("SRA") filed Plaintiff's Motion to Strike Invalidity Contentions and Response to Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions (Dkt. No. 213) on January 20, 2010.

3. By Order dated January 21, 2010 (Dkt. No. 217), the Court granted the following relief:

(a) SRA was granted a page limit of twenty-five pages for its consolidated Response to Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions/Plaintiff's Motion to Strike Invalidity Contentions;

(b) Defendants were granted a page limit of thirty pages for their consolidated Reply Supporting Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions/Response to Plaintiff's Motion to Strike Invalidity Contentions;

(c) Plaintiff was granted a page limit of fifteen pages for its consolidated Sur-Reply to Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions/Reply Supporting Plaintiff's Motion to Strike Invalidity Contentions.

4. Defendants seek an extension of time until and including February 22, 2010 to file their Consolidated (1) Reply Supporting Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions and (2) Response to Plaintiff's Motion to Strike Invalidity Contentions (Dkt. No. 213).

5. Defendants also seek leave to file a 10-page Sur-Reply in Opposition to Plaintiff's Motion to Strike Invalidity Contentions (Dkt. No. 213) after Plaintiff SRA files its consolidated Sur-Reply to Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions/Reply Supporting Plaintiff's Motion to Strike Invalidity Contentions.

6. This motion is not opposed by Plaintiff SRA.

This Motion is not sought for delay, but that justice might be done.

WHEREFORE, Defendants respectfully request that they be granted the following relief:

(a) that Defendants be granted an extension of time until and including February 22, 2010 to file their Consolidated (1) Reply Supporting Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions and (2) Response to Plaintiff's Motion to Strike Invalidity Contentions (Dkt. No. 213); and

(b) that Defendants be granted leave to file a 10-page Sur-Reply in Opposition to Plaintiff's Motion to Strike Invalidity Contentions (Dkt. No. 213) after Plaintiff SRA files its consolidated Sur-Reply to Defendants' Motion for Leave to Amend and Supplement Invalidity Contentions/Reply Supporting Plaintiff's Motion to Strike Invalidity Contentions.

Dated: January 27, 2010

Respectfully submitted,

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Attorneys for Defendants IAC SEARCH &
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CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Lee Kaplan, counsel for Plaintiff, regarding the relief requested in this motion. Mr. Kaplan informed me that Plaintiff is not opposed to the relief requested.

/s/ Thomas B. Walsh, IV
Thomas B. Walsh, IV

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 27th day of January, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Thomas B. Walsh, IV
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